

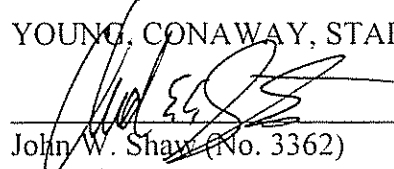
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CIF LICENSING, LLC, d/b/a	)	
GE LICENSING,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 07-170 (JJF)
v.	)	
	)	
AGERE SYSTEMS INC.,	)	
	)	
Defendant.	)	

**DEFENDANT'S MOTION TO COMPEL DISCOVERY**

Defendant, Agere Systems Inc. ("Agere") respectfully moves the Court, pursuant to Fed. R. Civ. P. 37(a), to compel discovery from Plaintiff CIF Licensing LLC, d/b/a GE Licensing. A proposed form of Order is attached hereto. The grounds for this motion are set forth in Defendant's Opening Brief In Support of its Motion to Compel Discovery.

YOUNG, CONAWAY, STARGATT & TAYLOR, LLP

  
John W. Shaw (No. 3362)

jslaw@ycst.com

Chad S.C. Stover (No. 4919)

cstover@ycst.com

The Brandywine Building

1000 West Street, 17<sup>th</sup> Floor

Wilmington, DE 19899-0391

302-571-6600

*Attorneys for Defendant Agere Systems Inc.*

-

OF COUNSEL:

David E. Sipiora  
Ian L. Saffer  
Chad E. King  
TOWNSEND AND TOWNSEND AND CREW, LLP  
1200 17<sup>th</sup> Street, Suite 2700  
Denver, CO 80202  
303-571-4000

Dated: October 12, 2007

**CERTIFICATE OF SERVICE**

I, Chad S.C. Stover, Esquire, hereby certify that on October 12, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Richard L. Horwitz, Esquire  
Philip A. Rovner, Esquire  
David E. Moore, Esquire  
Potter Anderson & Corroon LLP  
1313 N. Market Street  
Wilmington, DE 19801

I further certify that on October 12, 2007, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

**BY E-MAIL**

Joel E. Freed, Esquire  
Brian E. Ferguson, Esquire  
Mark A. Davis, Esquire  
D. Sean Trainor  
McDermott Will & Emery LLP  
600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005  
[jfreed@mwe.com](mailto:jfreed@mwe.com)  
[bferguson@mwe.com](mailto:bferguson@mwe.com)  
[madavis@mwe.com](mailto:madavis@mwe.com)  
[dtrainor@mwe.com](mailto:dtrainor@mwe.com)

Edwin H. Wheeler, Esquire  
McDermott Will & Emery LLP  
3150 Porter Drive  
Palo Alto, CA 94304  
mwheeler@mwe.com

YOUNG CONAWAY STARGATT & TAYLOR, LLP



---

Jdsy W. Ingersoll (No. 1088)

jingersoll@ycst.com

John W. Shaw (No. 3362)

jshaw@ycst.com

Chad S.C. Stover (No. 4919)

cstover@ycst.com

The Brandywine Building

1000 West Street, 17th Floor

Wilmington, Delaware 19801

(302) 571-6600

Attorneys for Agere Systems Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CIF LICENSING, LLC, d/b/a	)	
GE LICENSING,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 07-170 (JJF)
v.	)	
	)	
AGERE SYSTEMS INC.,	)	
	)	
Defendant.	)	

**NOTICE OF MOTION**

To:

Philip A. Rovner  
Richard L. Horwitz  
David E. Moore  
Potter Anderson & Corroon, LLP  
1313 N. Market St.  
Hercules Plaza, 6th Floor  
P.O. Box 951  
Wilmington, DE 19899-0951

Tel: 302 984-6000  
Fax: 302-658-1192  
Email: provner@potteranderson.com  
Email: rhorwitz@potteranderson.com  
Email: dmoore@potteranderson.com

Joel M. Freed  
Brian E. Ferguson  
D. Sean Trainor  
Michael W. Connelly  
McDermott Will & Emery LLP  
600 13th Street, N.W.  
Washington, D.C. 20005-3096

Tel: 202 756 8327  
Fax: 202-756-8087  
Email: jfreed@mwe.com  
Email: bferguson@mwe.com  
Email: mconnelly@mwe.com  
Email: GE @mwe.com

Edwin H. Wheeler  
McDermott Will & Emery LLP  
3150 Porter Drive  
Palo Alto, CA 94304-1212

Tel: 650-813-5000  
Fax: 650-813-5100  
Email: ewheeler@mwe.com

PLEASE TAKE NOTICE that Defendant, Agere Systems Inc. ("Agere"), will present Defendant's Motion to Compel Discovery to the Court on Friday, November 9, 2007 at a time that is convenient to the Court.

YOUNG, CONAWAY, STARGATT & TAYLOR, LLP

  
John W. Shaw (No. 3362)

jshaw@ycst.com

Chad S.C. Stover (No. 4919)

cstover@ycst.com

The Brandywine Building

1000 West Street, 17<sup>th</sup> Floor

Wilmington, DE 19899-0391

302-571-6600

*Attorneys for Defendant Agere Systems Inc.*

OF COUNSEL:

David E. Sipiora

Ian L. Saffer

Chad E. King

TOWNSEND AND TOWNSEND AND CREW, LLP

1200 17<sup>th</sup> Street, Suite 2700

Denver, CO 80202

303-571-4000

Dated: October 12, 2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

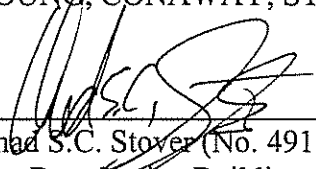
CIF LICENSING, LLC, d/b/a	)	
GE LICENSING,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 07-170-JJF
v.	)	
	)	
AGERE SYSTEMS INC.,	)	
	)	
Defendant.	)	

**RULE 7.1.1 STATEMENT**

Pursuant to 7.1.1 of the Local Rules of the United States District Court for the District of Delaware, I hereby certify that counsel for Agere Systems, Inc. ("Agere") has made a reasonable effort to reach agreement with counsel for CIF Licensing, LLC, d/b/a GE Licensing ("GE") on the matters set forth in Agere's Motion to Compel Discovery, and that the parties have not been able to reach agreement.

YOUNG, CONAWAY, STARGATT & TAYLOR, LLP

OF COUNSEL:  
David E. Sipiora  
Ian L. Saffer  
Chad E. King  
TOWNSEND AND TOWNSEND  
AND CREW, LLP  
1200 17<sup>th</sup> Street, Suite 2700  
Denver, CO 80202  
303-571-4000

  
Chad S.C. Stover (No. 4919)  
The Brandywine Building  
1000 West Street, 17<sup>th</sup> Floor  
Wilmington, DE 19899-0391  
302-571-6600  
cstover@ycst.com

*Attorneys for Defendant Agere Systems Inc.*

Dated: October 12, 2007

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CIF LICENSING, LLC, d/b/a	)	
GE LICENSING,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 07-170 (JJF)
v.	)	
	)	
AGERE SYSTEMS INC.,	)	
	)	
Defendant.	)	

**ORDER**

WHEREAS, Defendant, Agere Systems Inc. ("Agere") has filed a Motion to Compel Discovery; and the Court having considered the respective papers submitted by Defendant and Plaintiff, CIF Licensing LLC, d/b/a GE Licensing ("CIF"), in support of, or in opposition to, said motion; and the Court having considered oral argument of counsel for the respective parties, if any; and the Court having considered the pleadings in this matter and the current status of the case; and for other good cause having been shown;

NOW THEREFORE, IT IS HEREBY ORDERED that CIF immediately:

1. Provide complete and responsive answers to Agere's Interrogatory Nos. 1-4,
2. Provide documents requested in Agere's Document Request Nos. 3-7, and provide documents relied upon in answering Agere's Interrogatory Nos. 1-4 pursuant to Agere's Interrogatory No. 68.

DATED: \_\_\_\_\_, 2007

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE